

**House File 453 - Introduced**

HOUSE FILE 453

BY JONES

**A BILL FOR**

1 An Act excluding certain temporary employment by governmental  
2 entities from eligibility for unemployment insurance and  
3 including applicability provisions.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 96.19, subsection 18, paragraph a,  
2 subparagraph (6), subparagraph division (f), Code 2019, is  
3 amended to read as follows:

4 (f) In the employ of a governmental entity, if such  
5 service is performed by an individual in the exercise of the  
6 individual's duties as an elected official; as a member of a  
7 legislative body, or a member of the judiciary, of a state or  
8 political subdivision; as a member of the state national guard  
9 or air national guard; as an employee serving on a temporary  
10 basis in case of fire, storm, snow, earthquake, flood, or  
11 similar emergency; for a period of one hundred twenty days or  
12 less, if such period is determined by the employer prior to  
13 commencement of employment and agreed to by the individual  
14 prior to commencement of employment; or in a position which,  
15 pursuant to the state law, is designated as a major nontenured  
16 policymaking or advisory position, or a policymaking or  
17 advisory position which ordinarily does not require duties of  
18 more than eight hours per week.

19 Sec. 2. APPLICABILITY. This Act applies to any new claim of  
20 unemployment benefits with an effective date on or after July  
21 7, 2019.

#### 22 EXPLANATION

23 The inclusion of this explanation does not constitute agreement with  
24 the explanation's substance by the members of the general assembly.

25 This bill excludes employment by a governmental entity for  
26 a period of 120 days or less, if such period is determined by  
27 the employer prior to commencement of employment and agreed to  
28 by the individual prior to commencement of employment, from  
29 the definition of "employment" for purposes of unemployment  
30 insurance under Code chapter 96. Individuals so employed would  
31 be ineligible for unemployment compensation upon the conclusion  
32 of the period of unemployment.

33 "Governmental entity" is defined under current law as a  
34 state, a state instrumentality, a political subdivision or an  
35 instrumentality of a political subdivision, or a combination of

1 one or more of the preceding entities.

2     The bill applies to any new claim of unemployment benefits

3 with an effective date on or after July 7, 2019.